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In re Patent Application of : )

LE PAGE, R.W.F., *et al.* )

Examiner: Devi, S. )

Serial No.: 09/769,744 )

Group Art Unit: 1645 )

Filed: January 26, 2001 )

For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office

Washington, D.C. 20231

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**Response to Office Action Restriction Requirement (Paper No. 15)**

Sir,

Responsive to the non-final office action (the restriction requirement) mailed December 04, 2002, please consider the following remarks and provisional election. A petition for a one (1) month extension of time with the requisite fee is filed herewith, and it is believed that no further fees are required. However, the Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 (except the Issue Fee) which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 50-0206.

**Introduction**

Claims 1-20 are currently pending in this application.

**REMARKS**

**Restriction Requirement**

The Examiner required restriction of the pending claims under 35 U.S.C. § 121 between one of the following inventions:

- 1.) Claims 1, 6 and 10 drawn to a *Streptococcus pneumoniae* protein or polypeptide shown in Table 1 or a fragment thereof, classified in class 530, subclass 350;